

Appl. No. 09/730,689  
Reply to Office Action of August 23, 2005

### Remarks

#### Introduction

Claims 1-10 and 12-25 were pending. By way of this response, claims 1, 2, 16, 17, 21, and 22 have been amended. The present claims have been amended to make more clear that the circuit panel is a component of the power distribution unit and not a utility circuit panel of an electrical power supply, which appears to be questioned by the Examiner, as discussed herein. Support for the amendments to the claims can be found in the application as originally filed, and no new matter has been added. Accordingly, claims 1-10 and 12-25 remain pending.

In view of the amendments to the claims and the remarks herein, applicant requests reconsideration and withdrawal of each of the claim rejections.

#### Rejections Under 35 U.S.C. § 103

Claims 1-3, 6-10, 12-16, 19-22, 24, and 25 have been rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Jones (U.S. Pat. No. 3,631,590) in view of Pak (U.S. Pat. No. 5,574,612). Claims 4, 18, and 23 have been rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Jones in view of Pak and further in view of Tajali (U.S. Pat. No. 5,414,590). Claim 5 has been rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Jones in view of Pak and further in view of De Vries (U.S. Pat. No. 6,433,444). Claim 17 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Jones in view of Pak and further in view of Johnson (U.S. Pat. No. 6,462,961).

As indicated herein, the independent claims have been amended to make more clear that the circuit panel is a component of the power distribution unit, and not a utility circuit panel

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of an electrical power supply. Applicant traverses the rejections as they relate to the present claims.

In the Office Action, the Examiner agrees that Pak fails to teach plug-in receptacles that do not directly contact the power input assembly (Office Action, page 2, second full paragraph). The Examiner also agrees that Jones does not teach a plurality of receptacles, each receptacle adapted to receive an equipment plug to provide electrical power, and at least one of the receptacles being electrically connected to the electrical power input assembly without directly contacting a component of the circuit panel (Office Action, page 3, first full paragraph). Thus, the Office Action indicates that the primary reference, Jones, does not disclose all of the elements recited in the present claims (e.g., at least one of the receptacles being electrically connected to the electrical power input assembly without directly contacting a component of the circuit panel), and that the secondary reference, Pak, does not disclose all of the elements recited in the present claims (e.g., at least one of the receptacles being electrically connected to the electrical power input assembly without directly contacting a component of the circuit panel).

Applicant submits that a *prima facie* case of obviousness has not been established since the combination of references used to reject the independent claims (i.e., Jones and Pak) do not disclose all of the elements recited in the present claims, as acknowledged by the Examiner.

In addition, applicant submits that a *prima facie* case of obviousness has not been established since the Office Action fails to indicate where the prior art provides a motivation to combine the teachings of Pak with the teachings of Jones. Therefore, applicant submits that the rejections cannot be

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properly maintained and requests that the rejections be withdrawn.

As indicated above, the present claims recite a power distribution unit which includes at least one output receptacle that is electrically connected to an electrical power input assembly without directly contacting a component of a circuit panel of the power distribution unit.

In the Office Action, the Examiner appears to be of the opinion that Jones discloses a power distribution unit comprising a circuit panel 54 and an electrical power input assembly located substantially in the housing of the power distribution unit and adapted to be electrically connected to an electrical power supply (utility circuit panel). Jones also discloses a further circuit panel comprising a plurality of electrical power output assemblies 60 including a plurality of output connections structured and adapted to be hard-wired to a piece of equipment. Thus, it appears that the Examiner is interpreting the previous claims as comprising an utility circuit panel of an electrical power supply.

To clarify this issue, the present claims have been amended to make more clear that the circuit panel referred to in the claims is the circuit panel of the power distribution unit.

Jones discloses a portable distribution panel including a wheeled housing. As acknowledged in the Office Action, Jones does not disclose, teach, or even suggest any type of receptacles for providing electrical power, let alone at least one receptacle being electrically connected to the electrical power input assembly without directly contacting the circuit panel of the power distribution unit.

As indicated previously, Pak discloses a "plug-in" receptacle that can be substituted for a circuit breaker of a

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conventional service panel. The receptacle 20 is designed to be directly mounted on service panel 22 so that no special modifications are needed to the panel in order to mount the receptacle (column 5, lines 20-24). In short, Pak discloses a receptacle that has a housing that directly contacts a portion or component of a service panel. The receptacle is installed on the service panel by removing a circuit breaker module and substituting the receptacle therefor. The spring contacts 56a and 56b of the receptacle 20 physically contact the blades 120 of the service panel.

As acknowledged in the Office Action, Pak does not disclose, teach, or even suggest a power distribution unit that includes one or more output receptacles electrically connected to an electrical power input assembly without directly contacting a component of a circuit panel of the power distribution unit, as recited in the present claims. As discussed above, Pak specifically discloses a receptacle that is mounted on a service panel and directly contacts the service panel.

The Office Action states that it would have been obvious to a person of ordinary skill in the art to have modified the bank of circuit breakers [of Jones] by replacing one or more of the circuit breakers with the receptacles disclosed by Pak. In other words, the Office Action indicates that it would have been obvious to provide a receptacle that directly contacts the service panel, as disclosed by Pak, for a circuit breaker disclosed by Jones to result in the Jones system having a receptacle that directly contacts a component of the circuit panel of the Jones system.

The Office Action states that the "motivation [for the combination] would be to provide a plug interface to plug an

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electrical component into thus providing a receptacle being electrically connected to the electrical power input without directly contacting a component of the utility circuit panel" (Office Action, page 3, third full paragraph).

As discussed herein, providing the receptacle of Pak as a portion of the circuit breaker of Jones would result in a receptacle that is in direct contact with a component of the circuit panel of the Jones system. This is in clear and direct contrast to the present claims, which recite that at least one receptacle does not directly contact a component of the circuit panel of the power distribution unit. Thus, even if the deficient teachings of Pak could be erroneously combined with the deficient teachings of Jones, the combination would not result in the present invention, and would not disclose all of the elements recited in the present claims.

Furthermore, applicant submits that the Office Action fails to indicate where either Jones or Pak, or any other prior art, provides a motivation as stated by the Examiner. Applicant submits that such a motivation is not present in the prior art, and in contrast, applicant submits that a person of ordinary skill in the art would not be motivated to combine the deficient teachings of Jones and the deficient teachings of Pak, let alone do so and obtain the present invention.

In contrast, as stated previously, Pak actually teaches away from the present claims. For example, the receptacle of Pak includes two internally located spring contacts that are necessary to achieve a desired electrical connection. The internal spring contacts contact the extending blades of the service panel. The structural arrangement of the Pak receptacle causes the housing of the receptacle to directly contact a component of the service panel. The specific structural

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arrangement disclosed by Pak is required in order to provide the desired efficient utilization of space within the service panel and the temporary electrical connection (column 3, lines 21-23; and column 5, lines 24-29). Thus, Pak actually teaches away from receptacles of power distribution units that do not directly contact a component of a power distribution unit circuit panel, as recited in the present claims.

"As a general rule, references that teach away cannot serve to create a prima facie case of obviousness." (*McGinley v. Franklin Sports, Inc.* CAFC 8/21/01 citing *In re Gurley*, 31 USPQ2d 1131, (Fed. Cir. 1994)).

Thus, since Jones only discloses hard wired output connections, and since Pak teaches away from the present claims, applicant submits that a person of ordinary skill in the art would not be motivated to combine the Pak and Jones and obtain the presently claimed invention.

Applicant submits that the other references fail to provide the deficiencies apparent in Jones and Pak. For example, Tajali does not even contain the word "receptacle", let alone a power distribution unit that includes one or more receptacles, as recited in the present claims. De Vries and Johnson also do not contain the word "receptacle", let alone a power distribution unit that includes one or more receptacles, as recited in the present claims. Thus, none of the references taken alone or in any combination disclose, teach, or even suggest all of the elements recited in the present claims.

Applicant further submits that each of the present dependent claims is separately patentable over the prior art. For example, none of the prior art disclose, teach, or even suggest the present power distribution units including the additional feature or features recited in any of the present

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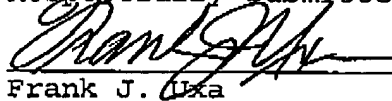
dependent claims. Therefore, applicant submits that each of the present claims is separately patentable over the prior art.

Conclusion

In conclusion, applicant has shown that the present claims are unobvious from and patentable over the prior art under 35 U.S.C. § 103. Therefore, applicant submits that the present claims, that is claims 1-10 and 12-25 are allowable. Therefore, applicant respectfully requests the Examiner to pass the above-identified application to issuance at an early date. Should any matters remain unresolved, the Examiner is requested to call (collect) applicant's attorney at the telephone number given below.

Date: 11/23/05

Respectfully submitted,



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